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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/092,005	03/06/2002	Gordon P. Getty	8102P001	7579

8791 7590 11/08/2011
BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP
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EXAMINER

POLLOCK, GREGORY A

ART UNIT	PAPER NUMBER
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3695

MAIL DATE	DELIVERY MODE
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11/08/2011

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of Allowability	Application No.	Applicant(s)	
	10/092,005	GETTY, GORDON P.	
	Examiner	Art Unit	
	GREG POLLOCK	3695	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to IDS filed 01/04/2011.
2. ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on ____; the restriction requirement and election have been incorporated into this action.
3. ☒ The allowed claim(s) is/are 1-3,5-18,20,22 and 23.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date ____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date <u>01/04/2011</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other ____. |

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DETAILED ACTION

1. This action is responsive to claims filed 07/01/2011 and Applicant's request for reconsideration of application 10/092005 filed 07/01/2011.

The amendment contains original claims 9 and 11.

The amendment contains previously presented claims 1-3, 5-8, 10, 12-18, 20, 22, and 23.

Claims 4, 19, and 21 have been canceled.

Information Disclosure Statement

2. The information disclosure statement filed 01/04/2011 has been received, considered as indicated, and placed on record in the file.

Allowable Subject Matter

3. Claims 1-3, 5-18, 20, 22, and 23 are allowed. The following is an examiner's statement of reasons for allowance: the prior fails to teach, suggest, or render obvious as a whole, either alone or in combination the following features of the claimed invention.

Independent claims 1, 15, 16, and 17 recite claim limitations that, as a whole, are not found in any prior art of record. Specifically, no reference can be cited which contains an indefinable "liquidly vehicle" and structural component which performs the function, of "prompting, by the computer server in response to the

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determination that the registered investment fund has a net share outflow, the registered investment fund to offer shares to the liquidity vehicle; purchasing, by the computer server, at least one offered share of the registered investment fund with proceeds of the purchase going to the registered investment fund; holding, by the computer server, the at least one purchased share in the liquidity vehicle for a period of time; and redeeming, by the computer server, at least one of the at least one purchased share from the registered investment fund in response to a net inflow of shares of the registered investment fund". Specific attention is made to the fact the claims required the offering and redeeming of shares are to be made in response to the determination that the registered investment fund has a net share outflow/inflow. Therefore, any prior art cited prior art would have to provide an indication that a holding company, special purpose vehicle, or clearing house or any other entity serving as the liquidity vehicle performs a purchase and redemption of shares based on identification of a net share outflow/inflow by a computer programmed to perform such a function. The cited prior art and a search by the examiner cannot identify any such reference. Further, the 37 CFR 1.132 Affidavits filed 12/27/2010 overcome arguments that it would have been obvious to combine references since the 37 CFR 1.132 Affidavit filed 12/27/2010 and as further explained in the Applicant Arguments/Remarks Made in an Amendment as filed 07/01/2011 clearly indicate a long felt need in the art and demonstrates failed attempts at rectification of the issues which the present application attempts to solve.

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4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory Pollock whose telephone number is 571 270-1465. The examiner can normally be reached on 7:30 AM - 4 PM, Mon-Fri Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chuck Kyle can be reached on 571 272-5233. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

GAP

10/24/2011

/Gregory Pollock/
Examiner, Art Unit 3695

Gregory A. Pollock

/Thu Thao Havan/
Primary Examiner, Art Unit 3695